

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 22-47760

PATRICIA LEWIS, *pro se*,

Chapter 13

Debtor.

Judge Thomas J. Tucker

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ORDER DISMISSING CASE

On October 4, 2022, the Debtor filed a voluntary petition for relief under Chapter 13, commencing this case. On October 17, 2022, the Debtor filed a document entitled “Certificate of Counseling” (Docket # 15), which states that on October 6, 2022, the Debtor received “an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.”

The Debtor is not eligible to be a debtor in this case under 11 U.S.C. § 109(h)(1). That provision provides in relevant part, that

an individual may not be a debtor under this title unless such individual has, **during the 180-day period ending on the date of filing the petition by such individual**, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

(Emphasis added). The Debtor only received a credit counseling briefing two days *after* filing the bankruptcy petition. With exceptions not applicable here, 11 U.S.C. § 109(h)(1) requires a debtor to obtain a credit counseling briefing *on or before* the date of filing the bankruptcy petition. Accordingly,

IT IS ORDERED that this case is dismissed.

Signed on October 18, 2022



/s/ **Thomas J. Tucker**

Thomas J. Tucker
United States Bankruptcy Judge